

To anticipate a claim under § 102, a single prior art reference must identically disclose each and every claim element. See Lindeman Maschinenfabrik v. American Hoist and Derrick, 730 F.2d 1452, 1458 (Fed. Cir. 1984). If any claimed element is absent from a prior art reference, it cannot anticipate the claim. See Rowe v. Dror, 112 F.3d 473, 478 (Fed. Cir. 1997).

The Teder reference clearly states that the coupler 24 is secured to the inner surface 30 of windshield 18 and describes the coupler 24 as a completely separate element. It does not implicitly or explicitly state that the housing 28 and coupling 24 are a composite element. In contrast, as shown in Figure 1a of the specification and recited in claim 20, the housing, shown as a composite element, includes a light conducting element that forms a cover of the housing itself. Claim 20 simply does not recite a housing which attaches to a coupling, as taught in the Teder reference. The Examiner asserts that Figure 2 of Applicants' specification supports his contention that the Teder reference anticipates claim 20. Figure 2 of Applicants' specification, however, merely shows a diagrammatic plan view of the rain sensor 4 for illustrative purposes.

Claims are given their broadest reasonable interpretation consistent with the specification. In re Weiss, 989 F.2d 1202, 26 U.S.P.Q. 2d 1885 (Fed. Cir. 1993). The broad interpretation may not expand the meaning of the claim beyond that which was intended by the inventor as set forth in the specification. Id. It is respectfully submitted that this rejection improperly attempts to broaden the scope of claim 20. Claim 20 clearly recites a housing which includes a light conducting element as a cover. The Examiner's reference to Figure 2 of Applicants' specification is an attempt to use the specification to improperly read limitations into claim 20, which is contrary to the rules of claim interpretation. Claim 20 recites the features of the present invention sought to be protected, and the specification may not be used to read additional limitations into the claims. As set forth above, the law of anticipation requires that the prior art must identically disclose all features of the claimed invention in order to support an anticipation rejection. It is, therefore, respectfully submitted that the Teder reference clearly fails to describe a housing as recited in claim 20. Based on the foregoing, it is respectfully submitted that the Teder reference does not anticipate claim 20. Claims 21-24, 27-29, 38 and 41 all depend from claim 20, so the above argument regarding claim 20 applies equally to claims 21-24, 27-29, 38 and 41. Accordingly, it is respectfully submitted that the Teder reference also does not anticipate claims 21-24, 27-29, 38 and 41. Withdrawal of this rejection is respectfully submitted.

Claims 25 and 26 stand rejected under 35 U.S.C. §103 as being unpatentable over the Teder reference as applied to claim 24, in view of U.S. Patent No. 5,560,245 to Zettler et al (the "Zettler reference"). It is respectfully submitted that the combination of the Teder and Zettler

references does not render claims 25 and 26 obvious for at least the following reasons.

For a claim to be rejected for obviousness under 35 U.S.C. § 103, the prior art must teach or suggest each element of the claim, and it must also suggest combining the elements in the manner contemplated by the claim. See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied, 111 S. Ct. 296 ; and In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990).

The Office Action states that the Teder reference teaches the claimed invention, with the exception of an integrated connector for an electrical connection to a downstream analysis unit. The Office Action also states that the Zettler reference shows an integrated connector 46 for an electrical connection to a downstream analysis unit for a remote connection sensor.

Initially, it should be noted that claims 25 and 26 depend from allowable claim 20. Accordingly, the above argument in regard to claim 20 and the Teder reference applies equally to claims 25 and 26. Furthermore, the Zettler reference does not cure the deficiencies of the Teder reference as applied against allowable claim 20. It is, therefore, respectfully submitted that even if one skilled in the art were to combine the Teder and Zettler references, one would not be able to achieve the subject matter of claims 25 and 26.

As stated in the prior Amendment (dated July 20, 2001), the Examiner apparently equates the electrical connector 46 of the Zettler reference with the integrated sensor for an electrical connection as recited in claim 25. The Zettler reference states that a printed circuit board 42 includes a portion which extends into the housing socket 22 to support an electrical connector 46, where the connector 46 receives a cable which connects the sensor to a power source. (Zettler reference, Col. 3, ll. 9-12). The electrical connector 46 of the Zettler reference apparently transmits power to the sensor. However, the integrated sensor of claim 25 clearly cannot be equated with the electrical connector 46. Claim 25 recites "an integrated sensor for an electrical connection to a downstream analysis unit. . . ." The electrical connector 46 of the Zettler reference is not described as an integrated sensor or an electrical connection to a downstream analysis unit. In addition, the Zettler reference does not describe or disclose a downstream analysis unit as recited in claim 25. Furthermore, the Teder reference does not cure the deficiencies of the Zettler reference. For these additional reasons, even if one were to combine the Teder and Zettler references, one would not be able achieve the subject matter of claims 25 and 26. Withdrawal of this rejection is respectfully submitted.

Claim 30 stands rejected under 35 U.S.C. §103 as being unpatentable over the Teder reference as applied to claim 29, in view of U.S. Patent No. 6,191,531 to Reime (the "Reime reference"). It is respectfully submitted that the combination of the Teder and Reime references does not render claim 30 obvious for at least the following reasons.

Initially, claim 30 ultimately depends from allowable claim 20. Accordingly, the above argument in regard to claim 20 and the Teder reference applies equally to claim 30. Furthermore, the Reime reference does not cure the deficiencies of the Teder reference as applied against claim 20. It is, therefore, respectfully submitted that even if one skilled in the art were to combine the Teder and Reime references, one would not be able to achieve the subject matter of claim 30.

Independent of the above, Applicants note that claim 29 recites "an output signal of the rain sensor to a downstream analysis circuit includes information with respect to an instantaneous degree of wetting of the windshield." The Office Action states that the Reime reference shows it is known to activate a windshield wiper mechanism and vehicle lighting system as a function of an output signal. The Reime reference relates to a lighting installation which serves to turn on and turn off the exterior lighting of vehicle. (Reime reference, Col. 1, ll. 10-13). The Reime reference also relates to a device which uses signals for turning on low-beam headlights, wherein the device may include a water sensor 19 which generally detects moisture on a surface. (Reime reference, Col. 3, ll. 25-35). The device discussed in the Reime reference produces a control signal that actuates a switchgear 13 for turning on a lighting installation 11. (Reime reference, Col. 2, ll. 55-57). The control signals of Reime reference may also influence the control device for the windshield wiper 21. (Reime reference, Col. 4, ll. 1-5). The signals that control the windshield wiper 21 are generated by a water sensor which generally detects a coating or moisture on a surface, such as the windshield 16. (Reime reference, Col. 3, ll. 32-35).

The Reime reference, however, does not state that water sensor 19 sends an output signal to a downstream analysis circuit as recited in Applicants' claim 29, from which claim 30 depends. The Reime reference also does not state that the output signal of the water sensor 19 includes information with respect to an instantaneous degree of wetting of the windshield as recited in parent claim 29. Accordingly, contrary to the Examiner's assertions, the Teder reference and the Reime reference, either individually or in combination, cannot suggest the subject matter of dependent claim 30. As stated above, it is respectfully submitted that even if one skilled in the art were to combine the Teder and Reime references, one would not achieve the subject matter of claim 30. Withdrawal of this rejection is respectfully requested.

Claims 31 and 32 stand rejected under 35 U.S.C. §103 as being unpatentable over the Teder reference as applied to claim 20 in view of U.S. Patent No. 4,701,613 to Watanabe et al. (the Watanabe reference). It is respectfully submitted that the combination of the Teder and Watanabe references does not render claims 31 and 32 obvious for at least the following reasons.

Claims 31 and 32 depend from allowable claim 20. Accordingly, the above argument in regard to claim 20 and the Teder reference applies equally to claims 31 and 32. Furthermore, the Watanabe reference does not cure the deficiencies of the Teder reference as applied against claim 20. It is, therefore, respectfully submitted that even if one skilled in the art were to combine the Teder and Watanabe references, one would not be able to achieve the subject matter of claims 31 and 32.

Claims 33 and 34 stand rejected under 35 U.S.C. § 103 as being unpatentable over the Teder reference as applied to claim 20, in view of U.S. Patent No. 4,871,917 to O'Farrell et al. (the O'Farrell reference). It is respectfully submitted that the combination of the Teder and O'Farrell references does not render claims 33 and 34 obvious for at least the following reasons.

Claims 33 and 34 depend from allowable claim 20. Accordingly, the above argument in regard to claim 20 and the Teder reference applies equally to claims 33 and 34. Furthermore, the O'Farrell reference does not cure the deficiencies of the Teder reference as applied against claim 20. It is, therefore, respectfully submitted that even if one skilled in the art were to combine the Teder and O'Farrell references, one would not be able to achieve the subject matter of claims 33 and 34.

Claims 35 and 36 stand rejected under 35 U.S.C. §103 as being unpatentable over the Teder reference in combination with the O'Farrell reference as applied to claim 34, and further in view of U.S. Patent No. 5,225,669 to Hasch et al. (the Hasch reference). It is respectfully submitted that the combination of the Teder, O'Farrell and Hasch references does not render claims 35 and 36 obvious for at least the following reasons.

Claims 35 and 36 depends from allowable claim 20. Accordingly, the above argument in regard to claim 20 and the Teder reference applies equally to claims 35 and 36. Furthermore, the O'Farrell reference and the Hasch reference, either individually or in combination, do not cure the deficiencies of the Teder reference as applied against claim 20. It is, therefore, respectfully submitted that even if one skilled in the art were to combine the Teder, O'Farrell and Hasch references, one would not be able to achieve the subject matter of claims 35 and 36.

Claims 37, 39 and 40 stand rejected under 35 U.S.C. §103 as being unpatentable over the Teder reference as applied to claim 20, and further in view of the Zettler reference. It is respectfully submitted that the combination of the Teder and Zettler references does not render claims 37, 39 and 40 obvious for at least the following reasons.

Claims 37, 39 and 40 depend from allowable claim 20. Accordingly, the above argument in regard to claim 20 and the Teder reference applies equally to claims 37, 39 and 40. Furthermore, the Zettler reference does not cure the deficiencies of the Teder reference as applied against claim 20. It is, therefore, respectfully submitted that even if one skilled in the art were to combine the Teder and Zettler references, one would not be able achieve the subject matter of claims 37, 39 and 40.

CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

The Office is authorized to charge any fees associated with this Response to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,
KENYON & KENYON

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